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REMARKS

I. General.

In the Non-Final Office Action dated January 10, 2007, claims 8-12 were allowed. Applicants thank the Examiner for allowing claims 8-12.

Claims 1, 3, 4, 6, 7, 13, 15, 16, 18, and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,381,802 to Park (hereinafter referred to as "Park"). For the reasons that follow, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1, 3, 4, 6, 7, 13, 15, 16, 18, and 19 in view of Park.

Claims 5 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Park. For the reasons that follow, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 5 and 17 in view of Park.

Claims 1, 2, 4, 6, 13, 14, 16, 17, and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by International Publication Number WO 99/37198 (hereinafter referred to as "Interface"). For the reasons that follow, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1, 2, 4, 6, 13, 14, 16, 17, and 18 in view of Interface.

Claims 5 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Interface. For the reasons that follow, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 5 and 17 in view of Interface.

II. The 35 U.S.C. § 102(b) and § 103(a) rejections relying on Park should be withdrawn.

For anticipation under 35 U.S.C. § 102, the reference teach every aspect of the claimed invention. M.P.E.P. § 706.02. "A claimed invention is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single reference." M.P.E.P. § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claims." M.P.E.P. § 2131 (citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

Turning now to claims 1 and 13, according to the Examiner, Figure 4 of Park discloses a base plate (11) and a skid plate (12). However, Applicants respectfully point out that reference numeral 11 in Park corresponds to a cover, in particular, a brush cover. Park, Col. 1, ll. 32-33. As FIG. 3 shows, the "brush cover 11" does not correspond to the "base plate"; but, rather, the brush cover 11 corresponds to a "chassis bottom of a vacuum cleaner." While Park teaches that a brush base 12 is connected to the lower side of the brush cover 11, Park, Col. 3, ll. 37-41, Park does not teach or suggest a "skid plate". Accordingly, for at least this reason, Applicants submit that claims 1 and 13 are allowable over Park. Therefore, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1 and 13 based on Park. Furthermore, since claims 3, 4, 6, and 7 depend from claim 1 and claims 15, 16, 18, and 19 depend from claim 13, Applicants submit that these claims are allowable for at least this same reason. Accordingly, for at least this reason, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 3, 4, 6, 7, 15, 16, 18, and 19 based on Park.

Turning now to claims 7 and 19, according to the Examiner, Park teaches a "skid plate (12) that includes a plurality of apertures which align with the single nozzle aperture." Even assuming *arguendo* that the "brush cover 11" of Park is a "base plate" and the "brush base 12" is a "skid plate," as figures 4 and 5 of Park shows, however, the apertures of the "brush base 12" in Park do not align with the aperture of the "brush cover 11". Instead, they align with the solid portion of the "brush cover 11" that cooperates with the "brush base 12" to house the "rotary drum 13". Accordingly, Applicants respectfully submit that Park does not teach or suggest "the vacuum cleaner base plate includes one or more base plate nozzle apertures and the vacuum cleaner skid plate includes one or more skid plate nozzle apertures corresponding to and substantially matching up with the one or more base plate nozzle apertures." Therefore, for at least this reason, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 7 and 19 based on Park.

Turning now to the 35 U.S.C. § 103(a) rejection of claims 5 and 17 in view of Park, as pointed out in the foregoing response to the rejection of claims 1 and 13 based on Park, Applicants respectfully maintain that Park does not teach or suggest a "skid

plate.” With respect to claims 5 and 17, Applicants submit that Park does not teach or suggest a “metal vacuum cleaner skid plate,” as recited therein. Accordingly, for at least this reason, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection of claims 5 and 17 based on Park.

III. The 35 U.S.C. § 102(b) and § 103(a) rejections relying on Interface should be withdrawn.

Turning now to claims 7 and 13, according to the Examiner, Interface discloses a vacuum a “base plate (39)” which fits to a “chassis bottom (21)” having one or more “nozzles (35, 37)”. However, Interface discloses a carpet brush unit 12 that includes a shroud 21, which the Examiner characterizes as a “chassis bottom”. Interface, Pg. 4, ll. 23-24. Furthermore, as Interface teaches, the underside of the shroud 21 itself defines two opposing side walls 39, 41. Interface, Pg. 4, ll. 23-24. Although the Examiner characterizes side wall 39 as being a “base plate”, Interface teaches that the side wall 39 is not “fit to” the shroud 21, but instead is itself apart of and defined by the shroud 21.

Additionally, Interface teaches that the “tray 30” is provided on the top side of a “plate 26.” Interface, Pg. 4, ll. 27-28 and figure 2. Although Interface teaches that holes 36, 38, 40, 42, 44 and 46 are provide for removably attaching the plate 26 to the shroud 21, Interface, Pg. 4, ll. 29-30 and figure 2, Interface does not teach or suggest a “skid plate” as recited in claims 1 and 13. Accordingly, for at least this reason, Applicants submit that claims 1 and 13 are allowable over Interface. Therefore, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1 and 13 based on Interface. Furthermore, since claims 2, 4, and 6 depend from claim 1 and claims 14, 16, 17, and 18 depend from claim 13, Applicants submit that these claims are allowable for at least this same reason. Accordingly, for at least this reason, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 2, 4, 6, 14, 16, 17, and 18 based on Interface.

Turning now to claims 6 and 18, Interface teaches a conventional commercial backpack vacuum unit that is worn on the operator’s back and which is connected to the carpet brush unit with a flexible hose. Interface, Pg. 3, ll. 9-12. Accordingly, Applicants respectfully submit that Interface does not teach or suggest an “upright vacuum cleaner,” as recited in claims 6 and 18. Accordingly, for at least this reason, Applicants respectfully submit that claims 6 and 18 are allowable. Therefore, Applicants respectfully

request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claims 6 and 18 based on Interface.

Turning now to the 35 U.S.C. § 102(b) rejection of claim 17 and the 35 U.S.C. § 103(a) rejection of claims 5 and 17 in view of Interface, as pointed out in the foregoing response to the rejection of claims 1 and 13 based on Interface, Applicants respectfully maintain that Interface does not teach or suggest a "skid plate." With respect to claims 5 and 17, Applicants submit that Park does not teach or suggest a "metal vacuum cleaner skid plate," as recited therein. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection of claim 17 and the 35 U.S.C. § 103(a) rejection of claims 5 and 17 based on Interface.

IV. Conclusion

Applicants submit that the subject matter of the present application is novel, nonobvious and useful. Accordingly, Applicants respectfully request that the rejections be withdrawn and that the present application issue as early as possible.

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SIGNATURE OF PRACTITIONER

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